

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	:	
	)	Examiner: BUI, Vy
MURPHY, Kieran	:	
	)	Group Art Unit: 3734
Application No.: 10/727,667	:	
	)	Confirmation No.: 8478
Filed: December 5, 2003	:	
	)	
Title: DEVICE VIEWABLE UNDER AN	:	
IMAGING BEAM	)	September 18, 2008

Mail Stop **Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the document listed on the enclosed form PTO/SB/08A.

**FORMAL MATTERS**

In accordance with 37 C.F.R. § 1.97(b)(4), this Information Disclosure Statement is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

PAIR currently lists the status of this application as "Non Final Action Mailed." This is incorrect. On August 11, 2008, Applicant's representative filed an Information Disclosure Statement and paid the fee on the belief that the status listed in PAIR was correct. Since prosecution is being reopened by means of an RCE, Applicant respectfully

requests that both the September 18, 2008, and August 11, 2008 Information Disclosure Statements be considered by the Examiner.

It is believed that neither a certificate, petition nor payment of a fee is required for this Information Disclosure Statement. However, the Commissioner is hereby authorized to charge any fee which may be required in connection with this paper to Deposit Account No. 50-1710.

#### CONCLUSION

It is respectfully requested that the below-listed information be considered by the Examiner and that a copy of the enclosed form PTO/SB/08A be returned indicating that such information has been considered.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3500. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard P. Bauer", written over a horizontal line.

Attorney for Applicant  
Richard P. Bauer  
Registration No. 31,588

PATENT ADMINISTRATOR  
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